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## ICANN Transcription

### New gTLD Subsequent Procedures Sub Team – Work Track 5 – Geographic Names at the Top Level

**Wednesday 24, April 2019 at 1400 UTC**

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MICHELLE DESMYTER: I would like to welcome everyone. Good morning, good afternoon, good evening. Welcome to the new gTLD Subsequent Procedures Subteam Work Track 5, Geographic Names at the Top Level call on the 24th of April, 2019 at 1400 UTC. In the interest of time today, there will be no roll call. We have quite a few participants online. Attendance will be taken via the Zoom Room. So if you happen to be only on the audio fringe, would you please let yourself be known now?

Okay. As a reminder to all participants, if you would please state your name before speaking for transcription purposes, and to please keep your phones and microphones on mute. When not speaking, to avoid any background noise. With this, I will turn the meeting back over to Javier Rua-Jovet. Please begin.

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JAVIER RUA-JOVET: Thank you. Again good morning to all. This is Javier Rúa-Jovet form At-Large, from ALAC. I'm joined in this call by my other co-chairs Annabeth Lange and Martin Sutton from ccNSO and GNSO, each. As we go continue through the comments, before we go there, please see the agenda today. If there is any SOI updates today, please do so now. I hear none.

So as we continue with the questions for comments for review, community input, before we go into that, just to remind everybody, all work track members, that the scope of the work we've been doing these past weeks is just to, you know, carefully look at these comments to make sure that they reflect as well as possible what we what we think of as a group is the intent of the commenter or the work track member that commented. So, if there are no objections to the agenda, which is continuing with the community input comments and then moving towards options and proposal country and territory names, and finally any other business, please say now if there is any objection. If there's none, I shall continue.

So, as we go on, we left off at Line 181 of the document, which I hope everybody has on their screen, whether on their laptop or on the laptop on the side to manage. So, we will continue reading these carefully and I know, bear with me, reading this can be a bit tiring, but we will read these through and we'll move forward.

So, 181, it's a comment by the International Trademark Association (INTA), it goes, "Notes objections to extending preventative measures, though does not reference any particular proposals: The discussions regarding mechanisms that can be

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used to protect geographic names have resulted in a debating society in which various parties seek solutions to unrealized problems. The current preventative measures are appropriate at this time. If individual governments and regions are motivated to reserve non-capital city names, such preventative reservations should occur on the ccTLD level not the gTLD level.

Giving governments prospective property rights at the gTLD level for geographical terms beyond country names is unnecessary, burdensome and in violation of established international law. If governments object to a new gTLD string, they should utilize the curative measures already established in the original Applicant Guidebook. Every effort should be made to make sure the number of reserved names is as small as possible, as is the number of names which are subject to consent/non-objection, and that this should only be applied in circumstances where the TLD is to be used to represent the city.

Any, comments to the INTA comments? The notes show, Summary, keep existing protections, does not reference specific proposals. If no comments, we'll keep on moving.

Line 182, "[Same response for E9 and E10] Having in mind the need to ensure proper protections for freedom of expression as a universally recognized" -- before I go on, this is a comment by, it's hard to move this document around, I think it's a comment by ALAC, yeah. "[Same response for E9 and E10] Having in mind the need to ensure proper protections for freedom of expression as a universally recognized human right (Art. 19 of UDHR and ICCPR), and given such protections are reiterated by ICANN in the 2007 Public Policy Principles for New gTLDs (Principle G), the

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NCSG stands firm in its position that freedom of expression can only be restricted by law.

At the same time, the string evaluation," -- I'm going to stop there. It seems this is an NCSG comment and not an ALAC comment, but we'll continue. "The NCSG stands firm in its position that freedom of expression can only be restricted by law. At the same time, the string evaluation process should be coherent with the internationally recognized principles of law. Moreover, the UN Human Rights Council in its 2012 Resolution proclaimed that the same rights that people have offline must also be protected online, in particular freedom of expression, which is applicable regardless of frontiers.

An applicant for new gTLD is exercising his/her right to freedom of expression by lawful use of words. Reference to a city, and the usage of a city name, falls under the scope of the right to freedom of expression. International law does not contain any specific requirements with regard to usage of city names, nor does it mention the need to obtain prior permission of the government. In this regard, the NCSG believes that governments should have no priority rights to non-capital city names as compared to other applicants when it comes to allocation of new gTLDs.

The NCSG strongly believes that any policy proposal regarding geographic names should take into consideration an intended use for the domain name. Reference to the intended use gives an understanding of whether a gTLD will be used in good faith. If at a later stage it appears that a name is misused, there are curative rights mechanisms available to file an objection.

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The objection process should be seen as a sufficient means to address governments' concerns as to the application, In the same way as it works for other stakeholders who have to closely monitor an application process and raise their concerns in a timely manner in order to prevent violation of their rights and interests. There are many cases of using the same name for many cities, making the requirement of obtaining prior non-objection practically infeasible.

Moreover, in some cases an applicant might reside under one jurisdiction, while applying for a gTLD being a city name, which falls under another jurisdiction. In this case, getting a non-objection from the competent authority to whom the city name is relevant is likely to be cumbersome and time consuming for an applicant. If an intended use is lawful and is not aimed at misrepresentation of a connection with or the legal authority itself, then it should be permitted without placing any additional requirements on the applicant seeking to get a gTLD. On the other hand, a misrepresenting intended use could be subject to retrospective restrictions without constituting a violation of a freedom of expression."

Moving around here, it cuts my page off, wait a second. Well, I'm going to jump one line that I can read, maybe Staff can see the line that's in black when I jump from, yeah, go ahead.

MARTIN SUTTON: Javier, it's Martin, do you want me just to finish that one off?

JAVIER RÚA-JOVET: Yeah, please do.

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MARTIN SUTTON:

So, in here, we've got a just a mixture of bold just to point out and some ideas, and then one last bit, which is a concern. So, as to through the bold bit here, "Therefore, the NCSG would recommend modification of the current requirement to obtain a letter of support or non-objection when applying for a string containing a non-capital city name in subsequent procedures.

According to this proposal, which the NCSG finds to be in compliance with the internationally recognized guarantees for freedom of expression, "applicants who intend to represent a connection to the authority of a non-capital city will need to provide a letter of support/non-objection. However, if the applicant does not intend to represent a connection to the authority of non-capital city names, protections will be enhanced by inserting contractual requirements into the Registry Agreement that prevent the applicant from misrepresenting their connection or association to the geographic term".

As laid down in the Supplemental Report, this proposal changes the standard when a letter is needed for non-capital city names from usage associated with the city name to usage intended to represent a connection to the authority of the non-capital city name. It increases contractual requirements and, therefore, enhances protections for geographic places."

So, the last remark here, "The NCSG wants hereby to avail itself of this opportunity to remind ICANN Org of its commitment to support a universally recognized right to freedom of expression equally enjoyed by all applicants for new gTLDs, and to foster

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competition and transparency in the process of new gTLDs allocation. The NCSG also calls upon ICANN to eliminate existing and avoid placing new unnecessary and legally unjustified barriers for stakeholders, other than governments, to apply for new gTLDs."

There's quite a lot in there, so I appreciate we needed to read that one fully. The rest of them, I think we've got summaries so that we can just pick out the salient points as we go through. So it should be quicker as we go through. So, I'll hand back to you Javier in a second, but I just noticed Christopher's got his hand up. So if Christopher, you've got a comment or a question, please come forward. I can't hear Christopher. Okay, perhaps, Christopher your hand is signaled up in the participants panel. If you can't get through on audio, perhaps if you could just put your message into the chat for now until we get that sorted. But in the meantime, Javier, I'll turn back to you.

JAVIER RÚA-JOVET:

Thank you, Marin, thank you for that, I'm having issues with my real estate screen here. Okay, so I guess in Line 183, it's a comment, this one is by the ALAC. "We understand Question e10 as relating to Proposals 19, 19 Variants 1, 2 and 3, 20, 21, 22, 23, 24, 25, 26 and we have provided comments to these proposals as set out in the corresponding sections in this statement." And it writes a URL. Seeing no comments, I shall continue. I see Christopher's hand is still up, but we'll continue unless, Christopher, if you want to just jump in when you can, just do.

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Line 184, it's by RySG, "See comments with each proposal." And it flags a URL. Martin in this in type of comment, is this a reference to another part of the document, for everybody's knowledge? "See comments with each proposal."

MARTIN SUTTON: Lets, just, if would just check with, perhaps Steve, if you could just confirm because I can't scroll back on here to see what the original question states, without getting another laptop out.

ANNEBETH LANGE: Hi guys, this is Annebeth speaking, just while we're waiting, it's a comment from Justine up there that we should read, it's, "Thanks for the correction Steve and Javier, the source on Line 182 comment definitely not from ALAC." Said it's from NCSG just to be sure that everybody caught that.

JAVIER RÚA-JOVET: So, Steve you can jump in when you want to clarify when the comment is just "See comments with each proposal," to explain to the group what that means, help out. But I'll continue here.

So, Line 185, it's a comment by Group of Registries: Unregistry, Minds + Machines Group, Top Level Design, Amazon Registry Services, Employ Media LLC. Again, "See comments with each proposal," and a URL that references their proposals.

STEVE CHAN: Javier?



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JAVIER RÚA-JOVET: Yeah, go ahead.

STEVE CHAN: I can talk now. So, to provide context, this question is asking about non capital city names and then it's asking which proposals the commenter supports, I believe, I'll scroll up real quickly. Yeah, so the commenters knew of the proposals and which they believe need to be considered further. So, when it refers to the proposals, it's referring to the proposals that were included in the supplemental initial report and for which we'll be taking a look at the comments received for those.

JAVIER RÚA-JOVET: Thank you. I saw a hand by Susan but now it's down. Maybe it was accidental. I still see Christopher's hand.

SUSAN PAYNE: Javier.

JAVIER RÚA-JOVET: Go ahead.

SUSAN PAYNE: Hi, sorry, it's Susan. It wasn't accidental but I was going to answer the question while Steve was looking. But I think that's the point. It's because the way the question was placed in the

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document. I think some people who responded to that question just answered it in the proposal section rather than repeating text. And I think that's what those two comments have done.

JAVIER RÚA-JOVET:

Thank you very much, Susan. Very good. Seeing no other hands, I shall continue.

Line 186, it's a comment by the Business Constituency, "If the intended use of the non-capital city name TLD is not to be associated with the geographic location, it should be treated as a regular string. In case there is contention for that string, preference should be given to applicants who will use the TLD for geographic purposes." And it references the URL. Any comments? I see none. I see I see no hands but, colleagues please flag, if possible, if they come out.

I shall continue, Line 187. It's in Spanish, it's by RDS-HN (Honduras). I will translate, "Support: Item which is same as response to Question 9, agree when there conflict between geography and the place name excluding TLD." That's a literal translation as best as I can do now. So that's a comment by RDS-HN (Honduras). Any comments? Moving forward.

So, we're in a new section here, 188, I don't think I should read all this paragraph here, unless somebody wants me to. I see no great interest in me reading this whole green paragraph here. So, shall continue with the comments if there are no objections. So, our next comment comes from the Government of Spain, Swiss Federal Institute of Intellectual Property, SWITCH, Icelandic

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Ministry for Foreign Affairs, German GAC, oriGIn, European Broadcasting Union, government of France, association of European regions for origin products (AREPO), and Republic of Peru.

Line 189, "Supports extending the non-objection framework to additional categories of geo-names: see general comments, i.e.: "Issues have been identified for geonames as TLDs not covered by the 2012 AGB – the lack of a "non-objection" framework for such names has generated conflicts between the different interested parties. This should be avoided in future expansions of the TLD space. Extending the "non-objection" framework to such cases would be advisable." And then it lists several URLs by each of the Work Track member commenters for this line here. Any comments to the comment? Clarifications? Misunderstandings? I see no hand. I still see...

MARTIN SUTTON: I have a hand, Javier.

JAVIER RÚA-JOVET: Ah, go ahead.

MARTIN SUTTON: I'm just thinking about this. Reading this before, I think there are a number of similar responses in this section. So you might just want to read out from Section E. If anybody wants to go through the full text that they've already had access to the document to query anything, so just to save your voice, more than anything,

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Javier, you might just want to use column E, because I think Steve's just opened it up a bit wider, so you can read it, which does a high level summary of the comments, and then we can just refer back and if anybody has gone through this and has any discrepancies with the way it's been characterized or summarized, please do flag back to us as we go along. But hopefully you've all had a an opportunity to read through these comments.

JAVIER RÚA-JOVET: So, Martin, what you're suggesting is I see column E is jumping to comments, in column E, for example, the first comment is in line 189 and then 190, et cetera?

MARTIN SUTTON: Yeah, so column E, Staff have kindly put a very high paraphrased summary of the comments received for each of those lines that you're reading out. So, save you reading out the full text, if you use that as the initial guide, and if anybody wants to refer back as they're reading through the full text, then they can raise their hand or add a comment into the chat. But I would save your voice and let the members work through and read the detail if they haven't already done so.

JAVIER RÚA-JOVET: Very good, thank you. So, we'll move through column E. But if any members want more detailed reference on the actual comment, please say so. So, on Line 189, Column E summarizes, "Extend non-objection to non-AGB terms (does not identify specific categories)." And as we mentioned, the

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commenters are in Column C, different public entities and governments, etc.

Line 190, the summarized comment in Column E reads, "Extend non-objection to non-AGB terms (Geographic names should include toponyms such as mountains, rivers, that by their notoriety and relevance are commonly known and are of national significance, as well as geographical indications. The use of geographical names as domain names consequently abuses industrial property rights," -- I wonder if that is correct use there -- " industrial property rights, and strongly influences consumer perception, which will tend to interpret them as being closely linked to that country so that, not being the case, may have a misleading and consequently disruptive of a healthy market." And that's a comment by the Portuguese government.

I wonder if the use of "industrial property rights" is the intent, or is it intellectual? Any comments there? Industrial property rights, could be correct. Any comments, any hands? So, I'll continue to Line 191. Let me make this smaller so I can see it. Okay, 191. Yeah, Martin, can you help me with Line 191, it doesn't show up in my screen for some reason, it jumps right through.

MARTIN SUTTON:

I think this is Brazil. And so I can't see the full text in column B, but the summary is, "Extend non-objection to non-AGB terms ("...identifiable relevant communities, e.g. cities, provinces, states, countries, recognizable regions from individual countries or a group of countries...") to extend non objection to non HIV terms and specifically identifiable relevant communities eg cities

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provinces states countries recognizable regions from individual countries or a group of countries." So I believe that is just Brazil, but we'll probably find out as we scroll down.

JAVIER RÚA-JOVET:

Yeah, it just jumps in my screen to 192 for some reason. So, thanks for that, Martin. I see no hands, we'll continue. So, 192 is a comment by the ALAC, and the summary in column E, "Some support reservation of currency codes under ISO 4217."

193, it's a comment by the Governments of Argentina, Chile, and Colombia, Fundación Incluirme. The summary, Column E, "References proposals 1-5"

194, comment by RySG, the summary is, "Some oppose additional restrictions. Some support extending protections to non-ASCII non-AGB terms." Any hands, any comments? Seeing none, shall continue.

Line 195, it's a comment by the Brand Registry Group. The summary, Column E, "Opposes additional restrictions." Let's see if I can see Line 196 when I jump from the screen.

Okay, 196 is a comment by Business Constituency. The summary, Column E, "Opposes additional restrictions."

Line 197 is a comment by the Registrar Stakeholder Group (RrSG). The summary, Column E, "Opposes additional restrictions." Let's go to the next one if there's no comments, questions.

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Line 198 as a comment by the Intellectual Property Constituency (IPC). Again, the summary is "Opposes additional restrictions." Any comments, any hands? I see none. And please, cochairs, if you see any comments in the chat that we should read out, please do so.

Jumping to 199, let's see if the page break doesn't kill me again. Okay, International Trademark Association (INTA), comment, "Opposes additional restrictions."

200, The United States. Summary, "Opposes additional restrictions."

Line 201, a comment by the Group of Registries: Uniregistry, Minds + Machines Group, Top Level Design, Amazon Registry Services, Employ Media LLC. The summary, again, "Opposes additional restrictions." This one I can read out, it's short. "The Group of Registries does not support expanding the list of "geographic" terms at all. We agree with the WT members that believe ISO 4217 is firmly out of scope."

Line 202, it's a longer comment by NCSG. Their summary there, "Cites Proposal 37." Any comments, questions? Any comments in the chat? Okay. Shall I keep moving? Line 203...

ANNEBETH LANGE:

Javier, it's a question from Justine, in the chat. "In Line 193, it's the understanding that the governments of Argentina, Chile and Colombia and Fundación Incluirme are in favor of proposal one to five? Should we go back and have a closer look?"

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JAVIER RÚA-JOVET: Yes, I'm at Line 193, and the specific comment there, all it says, "Proposals 1 to 5 are the answer for this question." If maybe Steve can help us out on Proposals 1 to 5 and see if we can answer Justine's question quickly.

ANNEBETH LANGE: This refers back to that.

STEVE CHAN: Hi, Javier, this is Steve.

JAVIER RÚA-JOVET: Go ahead.

STEVE CHAN: Thanks, it does reference their proposals which were about to go to the next section. We only have two more comments for community input, so the next section which is proposals for Section F.1.2.5, that's actually where Proposals 1-5 are covered. And then as Justine noted, there is actually support for all five of those proposals. Thanks.

JAVIER RÚA-JOVET: Okay, where did we leave off right now? I just changed my page and I don't know where we're at. What was the last comment we read, Steve? Where are we?



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ANNEBETH LANGE: I think we should start with 202.

JAVIER RÚA-JOVET: 202, alright, NCSG. Their summary there, "Cites Proposal 37."

203, yeah, 203 is where we left off. Is a comment by dotBERLIN GmbH & Co. KG, Hamburg Top-Level-Domain GmbH, geoTLD.group. The summary here is, "Appear to be conflicting opinion."

204, last line in this section. It's a comment by Dotzon GmbH. Again, "Appear to be conflicting opinions. Any comments, questions, as we move to our next section, which is proposals.

STEVE CHAN: Javier, this is Steve.

JAVIER RÚA-JOVET: Go ahead.

STEVE CHAN: I was just going to suggest that based on the comment that Staff put into Column E, it make sense to just read the comment, since it's brief. Lines 203 and 204 are identical. So that would be the suggestion, just for you to read it very quickly.

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JAVIER RÚA-JOVET: Go ahead and do that, Steve.

STEVE CHAN: Okay, sure. So, Line 203 from dotBERLIN GmbH & Co. KG, Hamburg Top-Level-Domain GmbH, geoTLD.group, and the Dotzon GmbH comments is identical, so the comments reads, "Supports no additional terms except enhancing non-ASCII geo terms not in the AGB: In principle, we recommend that "no additional types of terms should be protected/restricted beyond those included in the 2012 Applicant Guidebook".

We support to enhance to protection for "Non-ASCII geographic terms not included in the 2012 Applicant Guidebook." And now that I read this I actually have a better understanding of what they're saying. So I think we can probably clean up the comment to say that they suggest enhancing the protections for "Non-ASCII geographic terms not included in the 2012 Applicant Guidebook.

JAVIER RÚA-JOVET: Thank you. Alright.

MARTIN SUTTON: Sorry, I've got my hand up Javier, it's Martin. Steve, just following, I was just checking if Catrin or somebody from dot.Berlin was on the call, but I can't see them in the list. So unless they're on the phone, perhaps one of the phone lines, I'm not sure. Whether anybody could just clarify and confirm your interpretation, that might be helpful, as well, while we're on the call. If not, we will update it and hopefully that will be picked up on the meeting notes

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by Catrin or colleagues. Thanks, Steve. You've already updated it, so over to you, Javier.

JAVIER RÚA-JOVET: Thank you. So now we're moving into documents to section F.2.2.2, Proposals: country and territory names. So, I don't see summaries here. Maybe there are some summaries, oh yeah there are some summaries, should we go ahead read the comments here or just jump to summaries, also? What do you think, Martin?

MARTIN SUTTON: One of the things to bear in mind here, these are proposals, they're not preliminary recommendations. They are proposals because a few or many of the group thought it would be useful to put out for opinions to be gathered from the community. So on here, these are more specific. So, where we've just gone through questions, there isn't typically an agreement or disapproval process, but on these, you'll notice that we've got things like highlighted in column D agreement, agreement or it will change is there is diverse responses.

And then the first comment is more of an overriding general comment from the US Government. So that one you might want to read out, and then the others you could probably see where those aligned to the same agreement, and then there will be others that were grouped into non-agreement, and we just go through any particular highlighted fields that Staff have put in there for us.

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JAVIER RÚA-JOVET: You mentioned that the first comment is one by the United States. I might be in the wrong place, because the first thing I see in proposals Section F.2.2.2. it's the Dotzon GmbH comment, so I might be in the wrong place.

MARTIN SUTTON: No, I think we might be in the wrong place.

ANNEBETH LANGE: This is Annebeth, we should start with the General Measures proposed to improve the new gTLD program, the F.1.2.5. I think there has been some confusion in the agenda.

JAVIER RÚA-JOVET: Okay, thank you for that. So again, we're going to amend retroactively our agenda, we had it wrong, so let's do that, let's go back. So, Section F.1.2.5 comment by the United States, "As noted, the United States does not support the notion of reserving geographic names or terms or requiring documents of individual government support or non-objection, as reflected in the 2012 AGB. That said, we note that some of the following proposals assume that the 2012 AGB remains in place and seek suggestions for changes to some of those provisions. Thus, in answering the following proposals, we have assumed that the protection for gTLDs as set forth in the 2012 AGB remains in place unless otherwise indicated in the proposal." And there is a URL.

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STEVE CHAN: Javier, this is Steve. I just wanted to note that there is a hand up from Paul McGrady.

JAVIER RÚA-JOVET: Paul, go ahead.

PAUL MCGRADY: I think that what we're really striving for is kind of the baseline starting point that we recognize something's going to need to change.

JAVIER RÚA-JOVET: Yeah, I didn't hear that very well, Paul, if that was you. If you wish to repeat that comment? Well, I hear some background noise. Paul, if you want to repeat your comment at any point please do. We shall continue onwards. So, Line 6. Is somebody trying to get in? No. Comment: Support. It's a comments of support by the Government of Spain, Swiss Federal Institute of Intellectual Property, SWITCH, Icelandic Ministry for Foreign Affairs, German GAC, oriGIn, European Broadcasting Union, government of France, association of European regions for origin products (AREPO), Republic of Peru. And response marks agreement.

ANNEBETH LANGE: Javier, it's Annebeth. I think perhaps since we're going through these, that we should repeat the question they are just supporting, the green line. Especially for those only on audio.

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JAVIER RÚA-JOVET: Very good, So as we go through the document, the question that we're referring to here is, Line 5, "Develop an online tool for prospective applicants. The searchable tool indicates whether a string is eligible for delegation and whether there are issues that require further action (for example obtaining a letter of support or non-objection from relevant governments or public authorities). This could be a stand-alone tool or a function integrated into the application system that flags if a term is geographic and has special requirements/restrictions."

And in Line 6 there is support for this from the Government of Spain, Swiss Federal Institute of Intellectual Property, SWITCH, Icelandic Ministry for Foreign Affairs, German GAC, oriGIn, European Broadcasting Union, government of France, association of European regions for origin products (AREPO), Republic of Peru. The response is Agreement.

In Line 7 from the ccNSO we also have a comment of support, and the response flags agreement.

Line 8, by the Republic of Singaport, comment, "We support this proposal to develop an online tool for prospective applicants where they can check whether a string is eligible for delegation and whether there are issues that require further action. This is helpful and could prevent situations where applicants and/or governments get dragged into protracted negotiations." And the working group flags agreement here.

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ANNEBETH LANGE: Javier, Steve has a comment, if he could jump in, just a moment.

JAVIER RÚA-JOVET: Steve, go ahead.

STEVE CHAN: Thanks Javier, thanks Annebeth. As I've noted a couple times as a host or cohost you can raise your hand, so I'm resorting to the chat. I just wanted to point out what we've tried to do Column E for the line next to each of the proposals, so in this case on Line 5 here. What we've tried to do is distinguish between the various proposals, sort of the nature and scope of what's being proposed. And by that I mean some of the proposals are wider in scope, in the sense that they are trying to change what the protections are for Geographic Names.

And in terms of either expanding or contracting what the protections might be, whereas in this case, it's more it could maybe be construed as more of an implementation improvement. So what we've tried to do is include a tag next to each of the proposals to try to help the Work Track understand the nature of what's being proposed just sort of a shorthand guide to give you a quick summary of what the nature of the change is. Hopefully it's helpful, thanks.

JAVIER RÚA-JOVET: Thank you, Steve. Moving on.

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ANNEBETH LANGE: Question in the chat, Javier, Paul McGrady has has written a question there.

JAVIER RÚA-JOVET: Paul, comment is, On the last document we were reading comments on preliminary recommendations and holding our comments in order to get through the document. This document is for inbound ideas. Should we be holding our comments, questions, concerns, objections like we did with the last document so that can get through the reading of this document, or should we raise those comments, questions, concerns, etc. now? Important comment." So what do we think about Paul's comment, suggestion? Other members, other leaders? Martin?

MARTIN SUTTON: This is Martin. I think the main thing that we're trying to accomplish, going through this, is making sure that we frame the comments appropriately and that we understand the comment. So if there is any questions about the comments that have been provided or the way that they've been summarized, we would encourage everybody to chime and we'll stop and talk about those so that we fully understand.

In terms of any deep question about whether we think it's right or wrong, that I think is where we need to hold back until we have gone through the full set of comments, because then they will have an impact on the preliminary recommendations and any other recommendations that we then produce out of the comments. Does that make sense?



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JAVIER RÚA-JOVET: Yeah, I think so, thank you. We're still going through a similar process as before and we shall keep on going. And please continue asking restraint for a while. As we go through these.

Line 10, comment by dotBERLIN GmbH & Co. KG, Hamburg Top-Level-Domain GmbH, geoTLD.group. Comment is, "dotBERLIN GmbH & Co. KG support the proposal.

Line 11, comment by CENTR AFNIC. Supported. There is some text, "Afnic is the registry operator for top-level domains -- It describes what AFNIC is.

Line 12, comment by the Portuguese government. Support. All these comments are flagging agreement, by the way, by the working group.

Line 13, support by the governments of Argentina, Chile and Colombia and Fundación Incluirme. There is agreement here as a working group response. Okay, my document just moved a bunch of lines. What was the last comment we read? It was Line 13, yeah, Line 13.

Line 14, The Business Constituency supports this proposal, it flags agreement by the work group. Any comments, any questions? I'll keep on going.

Line 15, RDS Honduras. It's support. It has no objection. Agreement work group response.

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Line 16, ALAC, the ALAC supports Proposal 1. Agreement work group.

Line 17, United States. We would welcome an online tool for prospective applicants in relation to Geo names that would indicate whether a string is eligible for delegation whether there are issues that require further action. Work Group response is agreement.

Line 18, Brand Registry group. Some concern qualified. This is dependent upon the scope and complexity of the restrictions imposed on applicants specific lists of reserved names or those that require certain objections can be maintained and made available without the need for implementing additional online tools. Again, flagged as qualified agreement, some concerns, Brand Registry Group.

Line 19, Registrar Stakeholder Group, again qualified agreements, some concerns. The RySG generally supports this proposal, but it's concerned where funding for such an undertaking will be derived. We are also concerned about abuse of the data collected to preemptively expand lists of risk of restrictive strings.

Line 20, NCSG, qualified agreement, some concerns. Developing this tool would have only made sense if Work Track 5 had come up with criteria that were crystal clear. Asking the applicant to provide a non-objection letter from a public authority is not specific enough. However, if the group, despite our strongly held objections at Greece to asserting such measures, an online tool would be beneficial to the applicant.

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Line 21, RySG, there is some divergence flagged here. Some support, some oppose, due to the diversity of the RySG membership, members have different views on this matter. While some RySG members can support the proposal, others explicitly oppose the proposal and argue that the rules should be sufficiently clear that such tool adds no value. Comments? Questions? Shall I move forward?

Line 22, Dotzon GmbH. "We do not support the proposal since tools won't provide 100% predictability." Divergence.

Line 23, Intellectual Property Constituency (IPC). Divergence. "Opposes: The IPC opposes the development of such a tool both because it would be too burdensome (if even possible) to develop and too restrictive to apply. There would be some benefits in enabling potential applicants to search a database of conditions and terms to determine whether a particular term is eligible for delegation or whether there are issues (like the requirement of obtaining a letter of support from the government) that would require further action; this would clearly be useful in determining whether to proceed.

However, these benefits would be overshadowed by the threat to the selection of terms for TLDs presented by such a tool. Such a tool would require the creation of restricted-terms lists as well as extensive and strict tests or guidelines that could be applied to determine the registrability of specific terms. Such a list, and such analytic tools are neither authorized by nor supportive of international law. They would, in effect, create new rights whose exercise by governmental entities would be largely uncontrollable.

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Provided that there is sufficient clarity in defining terms to which geographic restrictions apply (by means of defined lists) there should be no need for such a tool. More importantly, the next iteration of the Applicant Guidebook itself should be sufficient for identifying the appropriate contours of any such restrictions or requirements, and whether a potential new string fits within a definition of a particular type of geographic name."

MARTIN SUTTON: Javier, sorry to interrupt, I think we got a new hand from Christopher, so I thought I better check, because he was trying to get through earlier.

JAVIER RÚA-JOVET: Yes, Christopher, please go in, if you can. You've been trying for a while. Christopher.

MARTIN SUTTON: And we've got Annebeth.

ANNEBETH LANGE: This is Annebeth. I say we should try him once more before we close, because it's only 3 minutes left of the hour.

JAVIER RÚA-JOVET: Yeah, we're really close to the top of the hour. I don't know if there's any extra way to make sure that Christopher's comments get in.

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ANNEBETH LANGE: He has written quite a lot in the chat.

JAVIER RÚA-JOVET: Maybe we can read the chat, quickly. Could you take that Annebeth, please?

ANNEBETH LANGE: Yes, "The proposal for a tool merits support, but I would have to point out that the staff would have an enormous task to create such a tool addressing thousands of geo names in all scripts worldwide."

JAVIER RÚA-JOVET: Thank you for that. Christopher and Annebeth. So we're basically on top of the hour. Thank you all for your patience. Any other business quickly, anybody want to bring forth? Any comments by colleagues?

ANNEBETH LANGE: Not from me.

JAVIER RÚA-JOVET: Steve can you come in a little bit with next meeting information?

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STEVE CHAN: I can, I just need to find it first. So, the Work Track 5 meeting is actually on Tuesday, 30 April, at 2000 UTC. We usually hold our meetings on Wednesday, but as a result of it being a holiday for not only ICANN, but for many in the world, we've actually moved the meeting to Tuesday. So hopefully that still works for everyone. Thanks.

JAVIER RÚA-JOVET: Thank you. And my apologies, for that next meeting I won't be able to make it due to work reasons. But thanks to all, again, and bye bye.

MICHELLE DESMYTER: Thank you so much everyone. The meeting has been adjourned. Have a great remainder of your day. Bye bye.

**[END OF TRANSCRIPTION]**